



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE
Docket No: 7237-99
12 June 2000



Dear [REDACTED]:

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 8 June 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 16 February 1999. On 11 May 1999, you disclosed that you had suffered from migraine headaches since you were 14 years of age, and that the condition was not responsive to medication. The Board noted that you concealed that history when you completed a Report of Medical History on 15 May 1997, in connection with your pre-enlistment physical examination. You were discharged from the Navy on 29 July 1999 with an entry level separation.

The Board did not accept your unsubstantiated contentions to the effect that you were erroneously discharged because of a "temporary" medical condition, and that Navy physicians misunderstood what you told them. As noted above, you reported a long history of headaches after you enlisted. In all likelihood, that condition would have disqualified you from enlistment had you revealed it when first required to do so. As you have not demonstrated that your discharge was erroneous, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director